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**SMART & BIGGAR**  
Intellectual Property & Technology Law

**To Fax no.:** (703) 872-9306

P.O. Box 2999, Station D  
55 Metcalfe Street, Suite 900  
Ottawa, Canada K1P 5Y6

**Page 1 of:** 21

**Attention:** Examiner Arezoo Sherkat  
Group Art Unit 2131

Tel.: (613) 232-2486  
Fax: (613) 232-8440

**From:** Smart & Biggar

**Your file no.:** 09/749,421

**Date:** October 20, 2004

**Reply to Ottawa file no.:** 77805-31

**Time:**

Dear Examiner Sherkat,

Further to my voice-mail message of Monday, October 18, 2004, please find enclosed a copy of our submission sent by courier dated July 16, 2004, which appears to have been lost. A copy of the Acknowledgement Card as stamped by the OIPE is also enclosed and shows that the documents were received on July 19, 2004. There are 3 copies of the submission as required for the Request for Withdrawal as Attorney.

Yours very truly,

SMART & BIGGAR

*Sarah Bergeron*  
Sarah L. Bergeron  
Patents Co-ordinator

/s/b  
Encl.

If there are any transmission problems, please call (613) 232-2486.

Original copy and any enclosures

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THE U.S. PATENT & TRADEMARK OFFICE  
OFFICIAL MAILROOM STAMP AFFIXED HERETO,  
ACKNOWLEDGES RECEIPT OF:

- Transmittal Form (PTO/SB/21)
- Request for Withdrawal as Attorney or Agent (PTO/SB/83) – 3 copies
- Copy of facsimile submission dated January 15, 2003 (3 copies)
- Facsimile confirmation dated January 15, 2004 (3 copies)
- Decision on Request for Withdrawal as Attorney dated December 24, 2002 (3 copies)

RE: APPLICATION

APPLICANT: GORD LAROSE

S/N: 09/749,421

FILED ON: 12/28/00

OUR FILE: 77805-31

TITLE: ADAPTIVE SOFTWARE INSTALLATION  
PROCESS SUPPORTING MULTIPLE  
LEVELS OF SECURITY-RELATED  
ATTRIBUTES

*RD  
RECEIVED*



*LSB*

PTO/SB/21 (04-04)

Approved for use through 07/31/2006, OMB 0651-0031

Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE

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# TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

|  |    |                        |                |
|--|----|------------------------|----------------|
|  |    | Application Number     | 09/749,421     |
|  |    | Filing Date            | 12/28/00       |
|  |    | First Named Inventor   | GORD LAROSE    |
|  |    | Art Unit               | 2131           |
|  |    | Examiner Name          | AREZOO SHERKAT |
| Total Number of Pages in This Submission | 21 | Attorney Docket Number | 77805-31 /slb  |

## ENCLOSURES (check all that apply)

|  |   |  |
|--|---|--|
| <input type="checkbox"/> Fee Transmittal Form                                    | <input type="checkbox"/> Drawing(s)   | <input type="checkbox"/> After Allowance communication to Technology Center (TC)   |
| <input type="checkbox"/> Fee Attached  | <input type="checkbox"/> Licensing-related Papers                                       | <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences  |
| <input type="checkbox"/> Amendment / Reply                                       | <input type="checkbox"/> Petition   | <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)  |
| <input type="checkbox"/> After Final   | <input type="checkbox"/> Petition to Convert a Provisional Application                  | <input type="checkbox"/> Proprietary Information   |
| <input type="checkbox"/> Affidavits/declaration(s)                               | <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address | <input type="checkbox"/> Status Letter   |
| <input type="checkbox"/> Extension of Time Request                               | <input type="checkbox"/> Terminal Disclaimer  | <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):  |
| <input type="checkbox"/> Express Abandonment Request                             | <input type="checkbox"/> Request for Refund   | 1) New Request for Withdrawal as Attorney Form PTO/SB/83 (1pg)<br>2) Copy of facsimile submission dated January 15, 2003 (5pgs)<br>3) Facsimile confirmation dated January 15, 2003 (1pg)<br>SEE REMARKS |
| <input type="checkbox"/> Information Disclosure Statement                        | <input type="checkbox"/> CD, Number of CD(s) _____                                      |  |
| <input type="checkbox"/> Certified Copy of Priority Document(s)                  |   |  |
| <input type="checkbox"/> Response to Missing Parts/ Incomplete Application       |   |  |
| <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53     |   |  |
| Remarks  |   |  |
| 4) Decision on Request for Withdrawal as Attorney dated December 24, 2002 (2 pg) |   |  |

## SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

|                         |   |
|-------------------------|---|
| Firm or Individual name | Christine N. Genge (Reg. No. 45,405)<br>SMART & BIGGAR<br>P.O. Box 2999 Station D, 900 - 55 Metcalfe Street, Ottawa, Ontario, K1P 5Y6, Canada |
| Signature               |    |
| Date                    | July 16, 2004   |

## CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:

|                       |  |      |
|-----------------------|--|------|
| Typed or printed name |  | Date |
| Signature             |  |      |

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

PTO/SB/83 (08-03)

Approved for use through 11/30/2005, OMB 0651-0035

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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## REQUEST FOR WITHDRAWAL AS ATTORNEY OR AGENT

|                        |                |
|------------------------|----------------|
| Application Number     | 09/749,421     |
| Filing Date            | 12/28/00       |
| First Named Inventor   | GORD LAROSE    |
| Art Unit               | 2131           |
| Examiner Name          | AREZOO SHERKAT |
| Attorney Docket Number | 77805-31 /slb  |

To: Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

I hereby apply to withdraw as attorney or agent for the above identified patent application.

The reasons for this request are:

We filed a previous Request for Withdrawal on December 12, 2002. We received a Decision on Request for Withdrawal as Attorney dated December 24, 2002 which advised us that we were denied our Request. We filed a Response to Decision on Request for Withdrawal as Attorney by facsimile on January 15, 2003. No second Decision was ever issued. An Official Action dated June 15, 2004 was mailed to our firm. We respectfully request that a Decision be issued based on our submission of January 15, 2003 and that the Official Action dated June 15, 2004 be re-issued to the Applicant.

### CORRESPONDENCE ADDRESS

- The correspondence address is NOT affected by this withdrawal.
- Change the correspondence address and direct all future correspondence to:

Customer Number

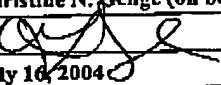
OR

|   |                       |       |          |     |       |
|---|-----------------------|-------|----------|-----|-------|
| <input checked="" type="checkbox"/> Firm or Individual Name | NETACTIVE LLC         |       |          |     |       |
| Address   | 1333 Butterfield Road |       |          |     |       |
| Address   | Suite 130             |       |          |     |       |
| City  | Downer's Grove        | State | Illinois | ZIP | 60515 |
| Country   | USA                   |       |          |     |       |
| Telephone   |                       |       | Fax      |     |       |

This request is made on behalf of myself and

- all the attorneys/agents of record,
- the attorneys/agents (with registration numbers) listed on the attached paper(s), or
- the attorneys/agents associated with Customer Number  07380

This request is enclosed in triplicate (including any attachments).

|           |   |                  |        |
|-----------|---|------------------|--------|
| Name      | Christine N. Genge (on behalf of Smart & Biggar)                                    |                  |        |
| Signature |  |                  |        |
| Date      | July 16, 2004   | Registration No. | 45,405 |

**NOTE: Withdrawal is effective when approved rather than when received. Unless there are at least 30 days between approval of withdrawal and the expiration date of a time period for response or possible extension period, the request to withdraw is normally disapproved.**

This collection of information is required by 37 CFR 1.36. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including the gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you are required to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

## SMART &amp; BIGGAR

Intellectual Property &amp; Technology Law

To Fax no.: 1-703-305-8266

P.O. Box 2999, Station D  
55 Metcalfe Street, Suite 900  
Ottawa, Canada K1P 5Y6

Page 1 of: 5

Attention: EXAMINER VINCENT N. TRANS  
GROUP ART UNIT 2100Tel.: (613) 232-2486  
Fax: (613) 232-8440

From: SMART &amp; BIGGAR

Your file no.: 09/749,421

Date: January 15, 2003

Reply to Ottawa file no.: 77805-31

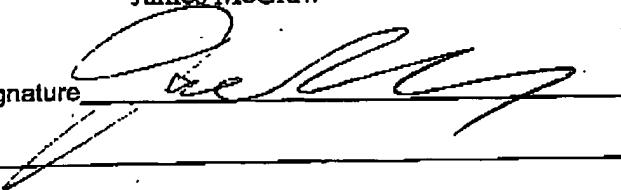
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## Certificate of Transmission

I hereby certify that this correspondence is being facsimile  
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(703) 305-8266 on January 16, 2003.

type or printed name of the person signing this certificate

James McGraw

Signature 

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 will not  be sent by  courier

The information contained in this transmission is confidential and only for the intended recipient identified above. If you are not the intended recipient, you are hereby notified that any dissemination or use of this communication is unlawful. If you have received this transmission in error, please immediately notify us by telephone (collect). Return the original message to us and retain no copy.

TRANSMITTAL LETTER  
(General - Patent Pending)Docket No.  
77805-31

In Re Application Of: Gordon Larose

Serial No.  
09/749,421Filing Date  
December 28, 2000Examiner  
Vincent N. TransGroup Art Unit  
2100Title: ADAPTIVE SOFTWARE INSTALLATION PROCESS SUPPORTING MULTIPLE LAYERS OF  
SECURITY-RELATED ATTRIBUTESTO THE ASSISTANT COMMISSIONER FOR PATENTS:Transmitted herewith is: RESPONSE TO DECISION ON REQUEST FOR WITHDRAWAL AS ATTORNEY

Further to the Decision On Request For Withdrawal As Attorney and your telephone conversation with Ms. Christine Genge of our office, please find enclosed the following documents:

- 1) newly executed Request For Withdrawal As Attorney Or Agent; and
- 2) a copy of our letter dated December 17, 2002 notifying the Assignee of our Request For Withdrawal.

in the above identified application.

No additional fee is required.

A check in the amount of \_\_\_\_\_ is attached.

The Assistant Commissioner is hereby authorized to charge and credit Deposit Account No. 19-2550 as described below. A duplicate copy of this sheet is enclosed.

Charge the amount of \_\_\_\_\_

Credit any overpayment.

Charge any additional fee required.

Signature

Dated: January 15, 2003

James McGraw (Reg. No. 28,168)  
SMART & BIGGAR  
P.O. Box 2999, Station D  
900-55 Metcalfe Street  
Ottawa, Ontario  
K1P 5Y6 Canada

613-232-2486

CC:

I certify that this document and fee is being deposited on \_\_\_\_\_ with the U.S. Postal Service as first class mail under 37 C.F.R. 1.8 and is addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231.

Signature of Person Mailing Correspondence

Typed or Printed Name of Person Mailing Correspondence

PTO/SB/83 (03-02)

Approved for use through 10/31/2002. OMB 0651-0035

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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**REQUEST FOR WITHDRAWAL  
AS ATTORNEY OR AGENT**

|                        |                   |
|------------------------|-------------------|
| Application Number     | 09/749,421        |
| Filing Date            | December 28, 2000 |
| First Named Inventor   | Gordon Larose     |
| Group Art Unit         | 2131              |
| Examiner Name          |                   |
| Attorney Docket Number | 77805-31/ala      |

To: Assistant Commissioner for Patents  
Washington, DC 20231

I hereby apply to withdraw as attorney or agent for the above identified patent application.

The reasons for this request are:

There has been a breakdown in the relationship between the assignee and the agents of record.

1.  The correspondence address is NOT affected by this withdrawal.
2.  Change the correspondence address and direct all future correspondence to:

**CORRESPONDENCE ADDRESS**

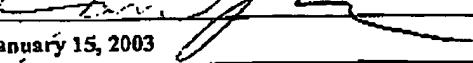
Customer Number   → Place Customer Number  
Bar Code Label here

OR

|  |                       |       |          |           |
|--|-----------------------|-------|----------|-----------|
| <input checked="" type="checkbox"/> Firm or<br>Individual Name | NETACTIVE LLC         |       |          |           |
| Address  | 1333 Butterfield Road |       |          |           |
| Address  | Suite 130             |       |          |           |
| City   | Downer's Grove        | State | Illinois | ZIP 60515 |
| Country  |                       |       |          |           |
| Telephone  |                       |       | Fax      |           |

This request is made on behalf of myself and  
 all the attorneys/agents of record,  
 the attorneys/agents (with registration numbers) listed on the attached paper(s), or  
 the attorneys/agents associated with Customer Number 07380

This request is enclosed in triplicate (including any attachments).

|           |   |  |  |
|-----------|---|--|--|
| Name      | James McGraw (Reg. No. 26,268) is signing on behalf of<br>all the agents associated with Customer No. 07380 |  |  |
| Signature |                          |  |  |
| Date      | January 15, 2003  |  |  |

*NOTE: Withdrawal is effective when approved rather than when received.*

*Unless there are at least 30 days between approval of withdrawal and the expiration date of a time period for response or possible extension period, the request to withdraw is normally disapproved.*

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**SMART & BIGGAR**

*Intellectual Property & Technology Law*

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Christine N. Genge  
[cngegne@smart-biggar.ca](mailto:cngegne@smart-biggar.ca)

Our Refs: 77805-4; -11;  
-29; -30 & -31

**COPY**

December 17, 2002

Eric Lundstrom  
CEO NetActive LLC  
1333 Butterfield Road  
Suite 130  
Downers Grove, IL 60515  
U.S.A.

**BY FACSIMILE**

Confirmation by Mail

Dear Mr. Lundstrom:

Re: United States Patent Application  
Serial No. 08/674037  
Applicant: David I Allan, et al

United States Patent  
Reg No. 6,108,420  
Registrant: NetActive LLC

United States Patent Application  
Serial No. 09/745505  
Applicant: Gord Larose, et al

United States Patent Application  
Serial No. 09/749421  
Applicant: Scott A. Thomson, et al

United States Patent Application  
Serial No. 09/696295  
Applicant: NetActive LLC

OTTAWA MONTREAL TORONTO EDMONTON VANCOUVER

Oct-20-04 16:28 From-Fetherstonhaugh LP

+6132328440

T-733 P.009/021 F-299

Our Refs: 77805-4; -11  
-29; -30 & -31

-2-

**SMART & BIGGAR**

Please see enclosed copies of "Request for Withdrawl as Attorney or Agent" in  
respect of the above-noted matters.

Yours very truly,  
**SMART & BIGGAR**

Christine N. Genge

CNG:sml  
encl.

cc: Mr. E.A. Clarke  
Net Active LLC  
84 Hines Road  
Kanata, ON K2K 3G3